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77. (amended). An information process apparatus which can communicate with a plurality of transmission apparatuses having a predetermined image pickup equipment for capturing an image, said information process apparatus comprising:

reception means capable of receiving the image and a voice to be added to the image;

allocation means for allocating a control right to control operation for any of said plurality of transmission apparatuses, on the basis of a voice level received by said reception means;

selection means for comparing the received voices from said plurality of transmission apparatuses and selecting the transmission apparatus to be controlled; and  
obtaining means for obtaining a control right to the selected transmission apparatus.

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#### **REMARKS**

Reconsideration of the above-identified application in view of the foregoing amendments and the following remarks is respectfully requested. At the outset the Applicant wishes to thank the Examiner for extending the courtesy of an interview on April 25, 2001 to discuss the Kitahara reference.

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#### **I. STATUS OF THE CLAIMS / EXPLANATION OF AMENDMENTS**

As to the office action, pending claims 1-77 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,745,711 to Kitahara et al. ("Kitahara") alone or in view of U.S. Patent No. 5,737,491 to Allen et al. ("Allen").

Independent claims 1, 11, 21, 24, 34, 44, 46-50 and 77 have been amended to recite control of received data (image or voice) "on the basis of a voice level." This is described throughout the specification and in particular at pages 12-16. No new matter is added by this amendment.

**II. CLAIMS 1-68 AND 77 ARE PATENTABLY DISTINCT FROM THE CITED REFERENCES**

The rejection of claims 1-68 and 77 under 35 U.S.C. § 103(a) as being unpatentable over Kitahara in view of Allen is respectfully traversed. As discussed below, neither of these references teaches, discloses or suggests control of received data "on the basis of voice level" as recited in these claims.

For example, amended claim 1 recites, inter alia, "A communication system comprising a plurality of transmission apparatuses... and a reception apparatus... wherein ... said reception apparatus comprises control means for ... causing predetermined display means to display the controlled images, on the basis of a voice level transmitted by said plurality of transmission apparatuses."

A. Kitahara

Kitahara is directed to an electronic conferencing system achieved via networked computers. In Kitahara's system, conferences are held in windows on the users display, and provides that several windows may be open simultaneously. Col. 15, lines 46-50 and Col. 18, lines 63-67.

Kitahara allegedly provides a method of managing audio and video input from the user to the conference and *vice versa* as follows:

| <u>ORIGINAL FOCUS</u>    | <u>NEW FOCUS</u>  | <u>RESULT</u>   | <u>FIGURES</u> |
|--------------------------|---|---|----------------|
| window of conference (a) | window that is “ <u>independent</u> of the conference (a)         | The audio and video input from the user are ceased. Also, audio and video output from conference (a) ceased. Col. 16, lines 14-23.  | Figs. 28a, 28b |
| window of conference (a) | window “of the <u>shared</u> application used in conference (a).” | The audio and video input from the user and output from conference (a) are continuously held in the same state. Col. 16, lines 61-67.   | Figs. 29a, 29b |
| window of conference (a) | window of conference (b)  | The audio and video input from the user are directed to conference (b). The output from conference (a) is ceased and replaced by output from conference (b). Col. 17, lines 31-37, 63-65. | Figs. 30a, 30b |
| window of conference (a) | window “of the shared application of the conference (b).”         | The audio and video input from the user are directed to conference (b). The output from conference (a) is ceased and replaced by output from conference (b). Col. 18, lines 42-49.        | Figs. 31a, 31b |

However, no where does Kitahara teach, disclose or suggest “causing predetermined display means to display the controlled images, on the basis of a voice level transmitted by said plurality of transmission apparatuses,” as recited in Applicants’ independent claim 1. See also claim 60 (“data amount control means for controlling a data amount of the image on the basis of a level of the voice to be added to the image.”) The Examiner acknowledged this deficiency in Kithara. See 5/03/01 Examiner Interview Summary.

B. Allen

Allen is directed to an electronic image system that allegedly permits more rapid capture and transmission of digital images by using wireless technology and a remote image

fulfillment server. The Office Action makes much of the disclosure by Allen that a “voice recognition module 30” can generate a control signal which can be embedded with the image as it is transmitted from the camera to the remote server, or can generate a control signal at the remote server. Col. 4, lines 14-35.

No where does Allen teach, disclose or suggest “causing predetermined display means to display the controlled images, on the basis of a voice level transmitted by said plurality of transmission apparatuses,” as recited in Applicants’ independent claim 1. See also claim 60 (“data amount control means for controlling a data amount of the image on the basis of a level of the voice to be added to the image.”)

Because Kitahara and Allen, either alone or in combination, do not teach, disclose or suggest all the claimed elements of claims 1-68 and 77, the rejection under 35 U.S.C. § 103(a) is improper and should be withdrawn. MPEP § 2143.01. Allowance is respectfully suggested.

### III. CLAIMS 69-76 ARE PATENTABLY DISTINCT FROM THE CITED REFERENCES

The rejection of claims 69-76 under 35 U.S.C. § 103(a) as being unpatentable over Kitahara in view of Allen is also respectfully traversed. Independent claims 69 and 73 recite “image control means” or “data amount control means” that respond to “a change of an environment in which the image is photographed.” That claim element is not shown in the cited references.

As discussed above, Kitahara’s electronic conferencing system relies upon user input (i.e., change in focus or movement of a cursor) to control the image and voice data. Allen

is directed to electronic image system where the user of digital camera can transmit control information associated with the images or where the server receiving the images can be pre-programmed to associate control information with the images. Thus neither Kitahara nor Allen is directed to the sort of automatic data processing to determine the relative importance of image or voice data.

There is simply no teaching, disclosure or suggestion in either Kitahara or Allen of “image control means” or “data amount control means” that respond to “a change of an environment in which the image is photographed,” as recited in independent claims 69 and 73. Because Kitahara and Allen, either alone or in combination, do not teach, disclose or suggest all the claimed elements of claims 69-76, the rejection under 35 U.S.C. § 103(a) is improper and should be withdrawn. MPEP § 2143.01. Allowance is respectfully suggested.

**CONCLUSION**

In view of the foregoing amendments and remarks, reconsideration and allowance are respectfully requested.

Respectfully submitted,

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APPENDIX  
(Claims Showing Changes Made)

1. (Twice Amended) A communication system comprising  
a plurality of transmission apparatuses for transmitting an image and a voice  
added to the image, and  
a reception apparatus for receiving the image and the voice,  
wherein said transmission apparatus comprises transmission means capable of  
selectively transmitting the image and the voice to said reception apparatus; and  
said reception apparatus comprises control means for controlling display statuses  
of the images received from said plurality of transmission apparatuses respectively and causing  
predetermined display means to display the controlled images, on the basis of [the] a voice level  
transmitted by said plurality of transmission apparatuses.

11. (Twice Amended) A communication system comprising a plurality of  
transmission apparatuses for transmitting an image and a voice to be added to the image, and a  
reception apparatus for receiving the image and the voice, wherein  
said transmission apparatus comprises transmission means capable of transmitting  
the image and the voice to said reception apparatus on the basis of control information  
transmitted from said reception means, and  
said reception apparatus comprises,  
reply means for returning the control information for said transmission apparatus  
to any of said plurality of transmission apparatuses selectively on the basis of [the] a voice level  
transmitted from said plurality of transmission apparatuses, and

control means for causing predetermined display means to display the image transmitted from said transmission apparatus on the basis of the control information.

21. (Twice Amended) A communication system comprising a plurality of transmission apparatuses for transmitting an image and a voice to be added to the image, and a reception apparatus for receiving the image and the voice, wherein  
said transmission apparatus comprises,

transmission means capable of transmitting the image and the voice to said reception apparatus, and

image pickup equipment control means for controlling an image pickup equipment to capture the image, and

said reception apparatus comprises allocation means for allocating a control right to control an operation for any of said plurality of transmission apparatuses, on the basis of [the]  
a voice level transmitted from said transmission apparatuses.

24. (Twice Amended) An information process apparatus which can receive an image and a voice added to the image, from a plurality of transmission apparatuses comprising:  
reception means capable of receiving the image and the voice added to the image;  
and

control means for controlling display statuses of the images received from said plurality of transmission apparatuses and displaying the controlled images on a predetermined display means, on the basis of [the] a voice level received by said plurality of transmission apparatuses.

34. (Twice Amended) An information process apparatus which can receive an image and a voice to be added to the image, from a plurality of transmission apparatuses, said information process apparatus comprising:

reception means capable of receiving the image and the voice to be added to image;

reply means for returning the control information for said transmission apparatus to any of said plurality of transmission apparatuses selectively on the basis of [the] a voice level transmitted from said plurality of transmission apparatuses; and

control means for causing predetermined display means to display the image transmitted from said transmission apparatus on the basis of the control information.

44. (Twice Amended) An information process apparatus which can communicate with a plurality of transmission apparatuses having a predetermined image pickup equipment for capturing an image, said information process apparatus comprising:

reception means capable of receiving the image and a voice to be added to the image; and

allocation means for allocating a control right to control operation for any of said plurality of transmission apparatuses , on the basis of [the] a voice level received by said reception means.

46. (Twice Amended) An information process method which can receive an image and a voice to be added to the image, from a plurality of transmission apparatuses, said method comprising:

a reception step of receiving the image and the voice added to the image; and  
a control step of controlling display statuses of the images received from said  
plurality of transmission apparatuses and causing a predetermined display means to display the  
controlled images, on the basis of [the] a voice level received by said plurality of transmission  
apparatuses.

47. (Twice Amended) An information process method which can receive an  
image and a voice to be added to the image, from a plurality of transmission apparatuses, said  
method comprising:

    a reception step of receiving the image and the voice to be added to the image;  
    a reply step of returning the control information for said transmission apparatus to  
any of said plurality of transmission apparatuses selectively on the basis of [the] a voice level  
transmitted from said plurality of transmission apparatuses; and  
    a control step of causing a predetermined display means to display the image  
transmitted from said transmission apparatus on the basis of the control information.

48. (Twice Amended) An information process method which can communicate  
with a plurality of transmission apparatuses having a predetermined image pickup equipment for  
capturing an image, said method comprising:

    a reception step of receiving the image and a voice to be added to the image; and  
    an allocation step of allocating a control right to control operation for any of said  
plurality of transmission apparatuses , on the basis of [the] a voice level received in said  
reception step.

49. (Twice Amended) A storage medium which stores, in a computer readable state, a program supplied to an apparatus which can receive an image and a voice to be added to the image, from a plurality of transmission apparatuses, said program comprising:

a reception step of receiving the image and the voice added to the image; and  
a control step of controlling display statuses of the images received from said plurality of transmission apparatuses and causing a predetermined display means to display the controlled images, on the basis of [the] a voice level received by said plurality of transmission apparatuses.

50. (Twice Amended) A storage medium which stores, in a computer readable state, a program supplied to an apparatus which can receive an image and a voice to be added to the image, from a plurality of transmission apparatuses, said program comprising:

a reception step of receiving the image and the voice to be added to the image;  
a reply step of returning the control information for said transmission apparatus to any of said plurality of transmission apparatuses selectively on the basis of [the] a voice level received in said reception step; and  
a display control step of causing a predetermined display means to display the image received in said reception step.

51. (Twice amended) A storage medium which stores, in a computer readable state, a program supplied to an apparatus which can communicate with a plurality of transmission apparatuses having a predetermined image pickup equipment for capturing an image, said program comprising:

a reception step of receiving the image and a voice to be added to the image; and  
an allocation step of allocating a control right to control operation for any of said  
plurality of transmission apparatuses , on the basis of [the] a voice level received in said  
reception step.

77. (amended). An information process apparatus which can communicate  
with a plurality of transmission apparatuses having a predetermined image pickup equipment for  
capturing an image, said information process apparatus comprising:

reception means capable of receiving the image and a voice to be added to the  
image;

allocation means for allocating a control right to control operation for any of said  
plurality of transmission apparatuses, on the basis of [the] a voice level received by said  
reception means;

selection means for comparing the received voices from said plurality of  
transmission apparatuses and selecting the transmission apparatus to be controlled; and  
obtaining means for obtaining a control right to the selected transmission apparatus.